(32)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(S) No. 2116 of 2007

Single Bench:Hon'ble Shri Satish K. Agnihotri, J.

Petitioner : Jagdish Yadav S/o Rampath Yadav aged about 49 years, Occupation- Driver in Hindustan Steel Works Construction Limited Bhilai, R/o- Camp-1 Bhilai District- Durg (C.G.)

Versus

Respondents

1. The General Manager, Hindustan Steel Works Construction Limited Bhilai, District-Durg (C.G.)
2. Assistant Manager (Pers/Estt.) Hindustan Steel Works Construction Limited Bhilai, District-Durg (C.G.)
3. Assistant General Manager, Hindustan Steel Works Construction Limited Hubli (Karnataka).

Present: Mr. F.S. Khare, Advocate for the petitioner.
None for the respondents.

ORDER

(Passed on 5th Day of April, 2007)

1. The petitioner is working as Driver in the respondent department. Vide order dated 17.1.2007, which has not been produced by the petitioner in this petition. Pursuant to the order dated 17.1.2007 as stated in the order dated 19.1.2007, whereunder the petitioner was relieved to join the transferred place of posting at Hindustan Steel Works Construction Limited, Hubli (Karnataka).

2. The petitioner challenges the said order dated 19.1.2007 (Annexure P-1) without challenging the order dated 17.1.2007 on the ground that the petitioner is suffering from 'Asthama'. Admittedly, the petitioner's employment is transferable any where in India, where the respondent

(33)

company has got its offices. In absence of challenging the transfer order, the challenge of relieving order dated 19.1.2007 is not maintainable. Even otherwise, there is no merit in this case as the petitioner has no other ground except that the petitioner is suffering from 'Asthama'. The petitioner has already filed a representation dated 22.2.2007 (Annexure P-2), before the authority concerned. The petitioner may pursue the same.

3. Thus, the writ petition is dismissed. No order as to costs.

4. Consequently, I.A. No. 01, an application for grant of interim relief and stay, stands disposed of.

Sd/-
Satish K. Agnihotri
Judge

Subhash